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DATE FILED: April 3, 2017

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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JUAN GONZALEZ,
:
Plaintiff,
:
-against-
:
PRO QUEST SECURITY INC., individually
:
and d/b/a M&M SECURITY INC., TRIAN
:
FUND MANAGEMENT, L.P., TRIAN
:
FUND MANAGEMENT GP, LLC, TRIAN
:
PARTNERS, LP, KEN SCHWEBEL,
:
individually, and NELSON PELTZ,
:
individually,
:
Defendants.
:
----- X

Index No. 1:17-cv-00930 (ER)

**VOLUNTARY STIPULATION OF
PARTIAL DISMISSAL AND
WITHDRAWAL WITH PREJUDICE**

IT IS HEREBY STIPULATED AND AGREED, by and between Plaintiff Juan Gonzalez ("Plaintiff") and Defendants Trian Partners, L.P., and Trian Fund Management GP, LLC, that Trian Partners, L.P., and Trian Fund Management GP, LLC shall be dismissed from the case with prejudice and without fees or costs to any party. It is further stipulated and agreed, by and between Plaintiff and Defendant Pro Quest Security, Inc. (improperly named in the Complaint as "Pro Quest Security Inc., individually and d/b/a M&M Security Inc."), that Plaintiff will discontinue with prejudice his Third and Fourth Causes of Action under the Americans With Disabilities Act as against Pro Quest Security, Inc., and his Fifth Cause of Action under the Family and Medical Leave Act as against Pro Quest Security, Inc. without fees or costs to any party. The parties also stipulate and agree that the caption in this case shall be amended to remove any reference to Trian Partners, L.P. and Trian Fund Management GP, LLC as defendants in this action.

DATED: April 13, 2017

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LLC, Trian Partners, L.P., and Nelson Peltz*

SO ORDERED:

DATED: April 3, 2017



The Honorable Edgardo Ramos

JS